





-}

## **REMARKS**

## Election

In response to the Election of Species Requirement dated November 4, 2002, Applicants elect the method of hematopoietic cells transplantation, wherein:

- a) the specific hematopoietic cells from claim 3 is neonatal umbilical cord blood;
- b) the specific transition metal chelator from claim 7 is tetraethylenepentamine;
- c) the specific <u>early acting cytokine</u> from claim 10 is stem cell factor and the specific <u>late acting cytokine</u> from claim 12 is granulocyte/macrophage colony stimulating-factor.

Claims 1-15, as amended herein, are readable on the elected species. Applicants respectfully reserve the right to prosecute the non-elected claims and species in a continuation or divisional application and also respectfully reserve the right to traverse the Examiner's requirement of a restriction/election in a future response to the U.S. Patent and Trademark Office.

This Response is due on or before December 4, 2002. The Commissioner is authorized to charge any additional fees that may be due, or to credit any overpayment, to the undersigned's account, Deposit Account No. 50-0311, Ref. No. 24024-501.

Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached page is captioned "VERSION WITH MARKINGS TO SHOW CHANGES MADE".

APPLICANTS: **U.S.S.N.:** 

Peled et al. 09/463,320

December 4, 2002

Respectfully submitted,

ivor R. Elrifi, R.g. No. 19,529
Barry J. Marenberg, Reg. No. 40,715
Attorneys for Applicants
c/o MINTZ, LEVIN
One Financial Center
Boston, Massachusetts 02111

Tel: (617) 542-6000 Fax: (617) 542-2241



. 4

## **VERSION WITH MARKINGS TO SHOW CHANGES MADE**

RECEIVED
DEC 0 6 2002

TECH CENTER 1600/2900

- PADElaims 3, 7, 10 and 12 have been amended as follows:
  - 3. (Amended) The method of claim 1, wherein [obtaining] said hematopoietic cells [is] are obtained from [a source selected from the group consisting of peripheral blood, bone marrow] neonatal umbilical cord blood [and embryonic stem cells].
  - 7. (Amended) The method of claim 6, wherein said transition metal chelator is [selected from the group consisting of polyamine chelating agents, ethyldiamine, diethylenetriamine, triethylenetetramine, triethylenetetramine, triethylenetetramine [,aminoethylehtnaolamine, aminoethylpiperazine, pentaethylenehexamine, triethylenetetramine-hydrochloride, tetraethylenepentamine-hydrochloride, pentaethylenehexamine-hydrochloride, tetraethylpentamine, captopril, penicilamine, N,N'bis(3-aminopropyl)-1,3-propanediamine, N,Nbis(2 aminoethyl) 1,3 propane diamine, 1,7-dioxa-4,10diazacyclodecane, 1,4,8,11-tetraaza cyclotetradecane-5,7-dione, 1,4,7-triazacyclononane tryhydrochloride, 1-oxa-4,7,10-triazacyclododecane, 1,4,8,12-tetraaza cyclopentadecane, 1,4,7,10-tetraaza cyclodecane]
  - 10. (Amended) The method of claim 9, wherein said early acting cytokines are [selected from the group consisting of] stem cell factor [,FLT3 ligand, interleukin-6, thrombopoietin and interleukin-3].
  - 12. (Amended) The method of claim 11, wherein said late acting cytokines are [selected from the group consisting of granulocyte colony stimulating factor,] granulocyte/macrophage colony stimulating factor [and erythropoietin].

TRA 1737779v2